

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SOUMA DIAGNOSTICS, LTD.,

Plaintiff,

v.

PRINCIPAL FINANCIAL GROUP,

Defendant.

Case No. 1:08-cv-04728

Judge Ronald A. Guzman
Magistrate Judge Sidney I. Schenkier

**DEFENDANT'S MOTION FOR AN ENLARGEMENT OF TIME IN WHICH TO FILE
ITS RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT**

Defendant Principal Life Insurance Company, incorrectly sued as PRINCIPAL Financial Group ("Principal Life"), by its undersigned counsel, moves this Honorable Court for an enlargement of time in which to file its responsive pleading to Plaintiff Souma Diagnostics, Ltd.'s ("Plaintiff") Complaint, and in support thereof states as follows:

1. On July 23, 2008, Plaintiff served Principal Life personally with its Complaint. On August 20, 2008, Principal Life timely removed this matter to this Court. Pursuant to Rule 81(c) of the Federal Rules of Civil Procedure, Principal Life's responsive pleading is due August 27, 2008.

2. Counsel for Principal Life was recently retained, and is currently investigating the allegations contained in the Complaint and gathering documents relevant to the Complaint, but requires an additional thirty (30) days to file its responsive pleading to Plaintiff's Complaint.

3. Counsel for Principal Life, Edna S. Bailey, contacted Counsel for Plaintiff, John L. Malevitis, on Thursday August 21, 2008 and on Friday August 22, 2008, leaving two voice mail messages as well as a request for a call back with Plaintiff's counsel's receptionist, yet as of today, despite due diligence, counsel has not heard back from Mr. Malvitis.

4. This motion is brought in good faith and is not intended to delay the proceedings. Plaintiff will not be prejudiced by the grant of a thirty (30) day enlargement of time in which to answer or otherwise plead to Principal Life.

WHEREFORE, Defendant Principal Life Insurance Company, incorrectly sued as Principal Financial Group, respectfully requests that this Honorable Court grant it a thirty (30) day enlargement to September 26, 2008 to file its responsive pleadings to Plaintiff Souma Diagnostics, Ltd.'s Complaint.

Respectfully Submitted,

**PRINCIPAL LIFE INSURANCE COMPANY,
incorrectly sued as PRINCIPAL FINANCIAL
GROUP, Defendant**

By: /s/ Edna S. Bailey
One of its attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on August 25, 2008, a copy of the foregoing was served by operation of the Court's electronic filing system and regular mail upon the following:

Attorney for Plaintiff

John L. Malevitis
Spartacus Law, P.C.
218 North Jefferson Street,
Suite 400
Chicago, Illinois 60661
(312) 258-1100

Parties may access this filing through the Court's system.

/s/ Edna S. Bailey

Edna S. Bailey